

EXPRESS MAIL LABEL NO.: EV668787763US
DATE: May 3, 2006

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER TEVBNP 3.3-167
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/578233
INTERNATIONAL APPLICATION NO. PCT/US04/36477	INTERNATIONAL FILING DATE 3 November 2004	PRIORITY DATE CLAIMED 3 November 2003
TITLE OF INVENTION SOFT STEROID COMPOSITIONS FOR USE IN DRY POWDER INHALERS		
APPLICANT(S) FOR DO/EO/US Michael I. Goller, Qi Li, Jade Ly, Mohammed Nurul Momin, Katherine Salas, Anayo Michael Ukeje, Ramesh Yanamandra, and Xian-Ming Zeng		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. w/SB-08, 6 references (4 enclosed)</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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<p>10/15/8233</p> <p>U.S. APPLICATION NO. (if known, see 37 CFR 1.20)</p>	<p>INTERNATIONAL APPLICATION NO. PCT/US04/36477</p>	<p>ATTORNEY'S DOCKET NUMBER TEVBNP 3.3-167</p>												
<p>20. <input checked="" type="checkbox"/> Other items or information: Four (4) Sheets of Formal Drawings, Copy of Form PCT/RO/126, Return Receipt Postcard</p>														
<p>The following fees have been submitted</p>														
<p>21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300</p>	<p>CALCULATIONS</p> <p>\$ 300.00</p>	<p>PTO USE ONLY</p>												
<p>22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))</p> <p>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0</p> <p>All other situations \$200</p>	<p>\$ 200.00</p>													
<p>23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))</p> <p>If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0</p> <p>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100</p> <p>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400</p> <p>All other situations..... \$500</p>	<p>\$ 400.00</p>													
<p>TOTAL OF 21, 22 and 23 =</p>		<p>\$ 900.00</p>												
<p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>40</td> <td>- 100 =</td> <td>/50 =</td> <td>x \$250.00</td> </tr> </tbody> </table>			Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	40	- 100 =	/50 =	x \$250.00				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE											
40	- 100 =	/50 =	x \$250.00											
<p>Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</p>		<p>\$</p>												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>87 - 20 =</td> <td>67</td> <td>x 50.00</td> </tr> <tr> <td>Independent claims</td> <td>4 - 3 =</td> <td>1</td> <td>x 200.00</td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	87 - 20 =	67	x 50.00	Independent claims	4 - 3 =	1	x 200.00	<p>3,350.00</p>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	87 - 20 =	67	x 50.00											
Independent claims	4 - 3 =	1	x 200.00											
<p>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</p>		<p>+ 360.00</p>												
<p>TOTAL OF ABOVE CALCULATIONS =</p>		<p>\$ 4,810.00</p>												
<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</p>														
<p>SUBTOTAL =</p>		<p>\$ 4,810.00</p>												
<p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</p>		<p>\$</p>												
<p>TOTAL NATIONAL FEE =</p>		<p>\$ 4,810.00</p>												
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>		<p>\$</p>												
<p>TOTAL FEES ENCLOSED =</p>		<p>\$ 4,810.00</p>												
<p>Amount to be refunded:</p>		<p>\$</p>												
<p>Amount to be charged</p>		<p>\$</p>												

10/578233

PTO-1390 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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JAP20 Rec'd PCT/PTO 03 MAY 2006

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 12-1095 in the amount of \$ 4,810.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Shawn P. Foley
SIGNATURE

Shawn P. Foley
NAME

CUSTOMER NUMBER: 000530

33,071
REGISTRATION NUMBER